

From: Todd Kadrie
To: Microsoft ATR
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Subject: Microsoft Settlement

As a Network Administrator with 15 years of experience supporting software which runs on Microsoft, Netware and Linux operating systems, I'd like to offer my comments related to the Proposed Final Judgment in United States v. Microsoft.

The proposed final judgement does not address what I view as some of the issues that most directly have impacted both the companies that I have worked for and myself personally and professionally. A specific example of a clearly illegal practice which would be allowed to continue unchecked is covered in Section III.A.2. of the Proposed Final Judgement. This portion of the PFJ effectively allows Microsoft to retaliate against OEM's that choose to ship computers with free or inexpensive alternative operating system like Linux or BeOS, even when they include no Microsoft OS at all.

The growth and wide-spread ability of alternative Operating Systems like Linux and BeOS operating systems have been severely hampered by Microsoft's exclusionary agreements with OEM's.

From my own experience, I have no interest or need to buy a computer with a copy of any version of Microsoft Windows pre-installed, but under Microsoft's exclusionary contracts, I have had to buy all of my computers with a Microsoft OS bundled at an additional fee, and then had to go to the trouble of removing the Microsoft OS and then installing a preferred alternative like Linux or BeOS.

In addition the enforcement of the provisions of the PFJ clearly lack real enforcement power or 'teeth'. Instead of leaving enforcement to the legal system, with it's clear lack of understanding of technical details or real implementation, a much more effective and suitable solution would be the establishment of a Technical Committee with investigative powers and the ability to enforce it's findings.

Considering these and other problems, it is my contention that the Proposed Final Judgment not only allows but encourages anticompetitive practices to continue, and actively delays the growth and wide-spread adoption of competing operating systems. Therefore, the Proposed Final Judgment is not in the public interest, and should not be adopted in it's current form.

Thank you,

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